

SERVICE DATE - SEPTEMBER 23, 1997

SURFACE TRANSPORTATION BOARD

DECISION

Docket No. AB-3 (Sub-No. 123X)

MISSOURI PACIFIC RAILROAD COMPANY--ABANDONMENT EXEMPTION--
IN PETTIS COUNTY, MO

Decided: September 18, 1997

On September 29, 1995, a decision and notice of interim trail use or abandonment (NITU) was served in the above proceeding, which authorized a 180-day period for the State of Missouri Department of Natural Resources (MDNR) to negotiate an interim trail use/rail banking agreement with Missouri Pacific Railroad Company (MP)¹ for a 2.16-mile segment of rail line between milepost 226.84, near Sedalia, and the end of the line at milepost 229.0, in Pettis County, MO. The negotiating period expired on March 29, 1996.

By decision served April 5, 1996, MDNR was granted an extension of the negotiating period that was scheduled to expire on September 30, 1996, but which was subsequently extended to September 25, 1997.

By letter filed September 16, 1997, MDNR states that the parties have been unsuccessful in reaching agreement; however, it adds that both parties are working diligently to arrive at acceptable terms. Accordingly, MDNR requests a further extension of the negotiating period. MP, by letter filed September 12, 1997, agrees with the request for an extension and suggests an extension of 180 days.

The requested extension will promote the establishment of trail use and rail banking consistent with the National Trails System Act, 16 U.S.C. 1247(d). Accordingly, the extension request will be granted.

This action will not significantly affect either the quality of the human environment or the conservation of energy resources.

It is ordered:

1. The request to extend the interim trail use negotiation period is granted.
2. The NITU negotiation period is extended to March 24, 1998.
3. This decision is effective on its service date.

By the Board, David M. Konschnik, Director, Office of Proceedings.

Vernon A. Williams
Secretary

¹ Missouri Pacific Railroad Company merged into Union Pacific Railroad Company on January 1, 1997. This decision will continue to refer to the carrier as MP.